

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of: )  
John H. Gillen ) Group Art Unit: 3634  
                  )  
Serial No.: 10/781,395 ) Examiner: Jerry E. Redman  
                  )  
Filing Date: February 18, 2004 ) Attorney Docket: 1-15972  
                  )  
For: POWERED SLIDER DRIVE ) Confirmation No.: 1873  
                  INTERFACE AND DRIVE ASSEMBLY )

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November 17, 2009

Commissioner for Patents  
Alexandria, VA 22313-1450

**REPLY BRIEF**

Honorable Sir:

This reply brief is in response to the Examiner's Answer of October 30, 2009 to the Appellant's Amended Appeal Brief filed July 6, 2009.

In the "Response to Argument" section of the Examiner's Answer, the Examiner asserts that Koneval has spaces and, therefore, Koneval satisfies the limitations of the claims. Appellant, however, asserts that the claims further require that, alternately, when the sliding panel is moved in one direction, the stops for that direction (i.e., open/close) make non-attached pushing or pulling mechanical contact while the stops for the opposite direction have a space therebetween. Koneval, however, does not

teach these limitations. Instead, Koneval's structure is *rigidly assembled*, where in either direction there are no stops making non-attached pushing or pulling mechanical contact, while resulting in a space between the stops for the opposite direction.

Further in the "Response to Argument" section, the Examiner asserts that the subject disclosure's Figs. 1 and 2A do not show spaces between the stops. Appellant asserts that the spaces do exist between the stops in these figures but, because of the three dimensional angle of projection, the spaces are not easily seen in these figures. However, Figs. 2B and 2C, clearly show spaces between the stops, as shown here below and which finds support on page 3, in paragraph 2 of the Director's Decision On Petition dated October 18, 2007, where it is states that "the limitations of claim 1 read on all of the species ... " and "Therefore, the limitations of claim 1 is generic to all of the disclosed species ... ."

Further support for the spaces between the stops is found in the disclosure, for example, at page 6, lines 6-19:

"As shown in Fig. 1, the interface between the driver contact surfaces 24, 26 and the receiver contact surfaces 36, 38 is not a rigid attachment, as in U.S. Patent No. 6,119,401 to Lin et al. and U.S. Patent No. 6,324,788 to **Koneval** et al. Also, the driver bracket 22 is free to move between a portion of the space between each of the receiver contact surfaces 36, 38, wherein

one of the driver contact surfaces 24, 26 will make selectively non-attached pushing or pulling mechanical contact with its corresponding receiver contact surface 36, 38. This contact allows for substantial misalignment, for example, between the regulator 28 and the slider panel 46, since varying portions of the driver contact surfaces 24, 26 and the receiver contact surfaces 36, 38 can make contact with each other", (emphasis added).

FIG. 2B

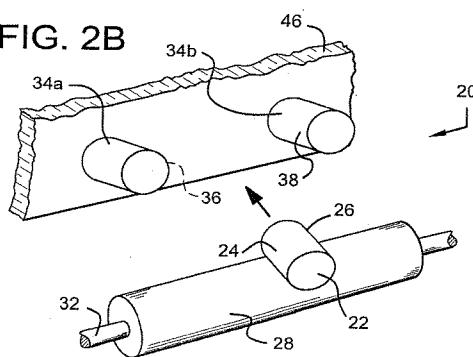
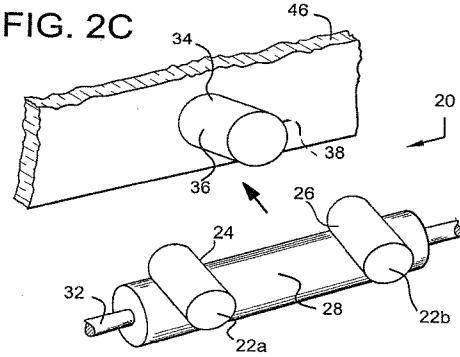


FIG. 2C



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Examiner's Answer Dated October 30, 2009

Accordingly, all of the claims on appeal are believed to be entitled to allowance,  
and a favorable decision to that end is courteously solicited.

Respectfully submitted,

  
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